

U.S. Serial No. 09/846,893
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III. REMARKS

Applicants respectfully request that the above amendments be entered prior to examination of this application on the merits.

1. Summary of the Amendments

Claims 11-13, 18 and 19 have been cancelled without prejudice or disclaimer.

Claims 1, 5, 6, 15, 16 and 17 have been amended to specify that the glycopeptide antibiotic is a lipidated glycopeptide antibiotic. Support for these amendments is found, for example, in Claim 11 as originally filed; and on page, 3, lines 10 to 11 and page 29, lines 14 to 23 of the specification.

Claims 1-4 have been amended to insert the term "pharmaceutical" before "composition". Support for these amendments is found, for example, in Claims 5-14 as originally filed; and on page 2, lines 04 to 06.

Additionally, Claim 15 has been amended to insert the phrase "or a pharmaceutically acceptable salt thereof". Support for this amendment is found, for example, in Claims 1, 5, 6, 12, 13, 16-91 as originally filed; and on page 39, lines 10 to 11.

Entry of these amendments is respectfully requested. Upon entry of the above amendments, Claims 1-10 and 14-17 will be pending for examination on the merits.

Pursuant to the Official Gazette Notice dated February 25, 2003, entitled *AMENDMENTS IN A REVISED FORMAT NOW PERMITTED*, Applicants respectfully request that the provisions of 37 C.F.R. §1.121 be waived for the present amendments since these amendments are believed to comply with the revised amendment format set forth the OG announcement.

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2. Related U.S. Pending Applications

Applicants wish to bring the following co-pending, commonly-assigned U.S. patent applications to the Examiner's attention:

- (1) U.S. Serial No. 09/847,042, filed May 1, 2001;
- (2) U.S. Serial No. 09/847,052, filed May 1, 2001;
- (3) U.S. Serial No. 09/847,048, filed May 1, 2001;
- (4) U.S. Serial No. 09/847,061, filed May 1, 2001; and
- (5) U.S. Serial No. Unassigned, filed May 12, 2003

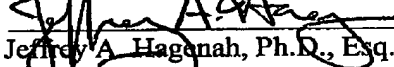
(Continuation of U.S. Serial No. 09/847,042, filed May 1, 2001).

Early examination of this application on the merits is respectfully requested. Should there be any issues regarding this application that can be resolved by telephone, the Examiner is respectfully requested to telephone the undersigned attorney at (650) 808-6406.

Respectfully submitted,

THERAVANCE, INC.

Date: May 12, 2003

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